

REMARKS/ARGUMENTS

This is a preliminary amendment in a RCE Application. The Office Action mailed April 7, 2005 has been carefully reviewed. Reconsideration of this application, as amended and in view of the following remarks, is respectfully requested. The claims presented for examination are: claims 1-30. Claims 1-24 have been amended. Claims 21, 22, and 25-30 have been cancelled.

35 USC 102(e) Rejection

In numbered paragraph 4 of the Office Action mailed April 7, 2005, claims 1-15 were rejected under 35 U.S.C. 102(e) as being anticipated by the Goldman et al reference (U.S. Patent Application No. 2003/0135835).

Applicant has amended independent claim1 presented for examination; therefore independent claim1 and claims 2-15 that depend from claim 1 are now presented in amended form. Since claims 1-15 now appear in amended form the 35 USC §102(b) rejection in the Office Action mailed April 7, 2005 no longer applies.

Applicant believes the invention claimed in amended claims 1-15 is not anticipated by the Goldman et al reference. The standard for a 35 USC §102 rejection is stated in RCA Corp. v. Applied Digital Systems, Inc., 221PQ 385, 388 (d. Cir. 1984) "Anticipation is established only when a single prior art reference discloses, either expressly or under principles of inherency, each and every element of a claimed invention." Applicant points out that the following elements of Applicants' claims 1-15 are not found in the Goldman et al reference:

"product data management means for creating specifications coupled to said network means, said product data management means located at one of the multiple source locations," or

"knowledge management means for processing data coupled to said network means, said knowledge management means including central

repository database means for storing data, said central repository database means located at one of the multiple source locations” or

“requisition application means for processing data coupled to said network means, said requisition application means located at one of the multiple source locations,” or

“a job specification that is created in said product management means,” or

“vendor information that is created in said central repository database means of said knowledge management means,” or

“engineering records that are created in said central repository database means of said knowledge management means,” or

“an engineering records center located at one of the multiple source locations,” or

“a vendor authorization center located at one of the multiple source locations,” or

“an online requisition system located at one of the multiple source locations.”

Since the elements described above are not found in the Goldman et al reference, the Goldman et al reference would not support a 35 USC §102(e) rejection.

35 USC 103 Rejection

In numbered paragraph 6 of the Office Action mailed April 7, 2005, claims 1-24 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over the Primary OraCon reference (Oracle® Applications, Concepts, Release 11i, May 2000, Oracle Corporation) in view of the Secondary OraMRP reference (Oracle® Master Scheduling/MRP and Supply Chain Planning Guide, Release 11i, January 2000, Oracle®); the tertiary OraHR reference (Using Oracle® HRMS – The

Fundamentals [US]. Release 11i, January 2000); and the quaternary OraPO reference (Oracle® Purchasing User's Guide, Release 11i, January 2000).

Applicant has amended independent claims 1 and 16 presented for examination; therefore independent claims 1 and 16 and claims 2-15 and 17-24 that depend from independent claims 1 and 16 are now presented in amended form. Since claims 1-24 now appear in amended form the 35 USC §103(a) rejection in the Office Action mailed April 7, 2005 no longer applies.

Applicants believe that amended claims 1-24 are patentable and that the OraCon and OraMRP references would not support a 35 USC §103(a) rejection. The factual inquiries set forth in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966) that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) include "Ascertaining the differences between the prior art and the claims at issue."

The differences between the primary OraCon reference and Applicants' invention defined by amended claims 1-24 includes the fact that the following elements of amended claims 1-24 are not found in the primary OraCon reference:

"knowledge management means for processing data coupled to said network means, said knowledge management means including central repository database means for storing data, said central repository database means located at one of the multiple source locations, said central repository database means including an engineering records center and a vendor authorization center," or

"requisition application means for processing data coupled to said network means, said requisition application means located at one of the multiple source locations," or

"a job specification that is created in said product management means," or

"vendor information that is created in said central repository database means of said knowledge management means." or

“engineering records that are created in said central repository database means of said knowledge management means,” or

“a website coupled to said network means, wherein said job specification and said vendor information are posted on said website,” or

“wherein said job specification and said vendor information are posted on said website,” or

“wherein said central repository database means includes application programming interface API protocols which controls access to said engineering records,” or

“a central repository database management program that is a collaborative environment software program,” or

“an engineering records center located at one of the multiple source locations,” or

“a vendor authorization center located at one of the multiple source locations,” or

“an online requisition system located at one of the multiple source locations,” or

“product data management means for creating specifications coupled to said network means, said product data management means located at one of the multiple source locations.”

The OraMRP, OraHR, and OraPO references also fails to show the elements of the claims identified above. Since all of the references fail to show the elements, there can be no combination of the four references that would show Applicant’s invention defined by amended claims 1-24 and render it unpatentable. There is no combination of the OraCon reference and the OraMRP reference and the OraHR reference and OraPO reference that would produce the combination of elements of Applicants’ amended claims 1-24. Further, there is no teaching of combining the OraCon reference and the OraMRP reference and the OraHR reference and OraPO reference to meet Applicants’ amended claims 1-24.

Thus, the combination of references fails to support a rejection of the claims under 35 USC 103(a), and the rejection should be withdrawn.

SUMMARY

The undersigned respectfully submits that, in view of the foregoing amendments and the foregoing remarks, the rejections of the claims raised in the Office Action dated April 7, 2005 have been fully addressed and overcome, and the present application is believed to be in condition for allowance. It is respectfully requested that this application be reconsidered, that the claims be allowed, and that this case be passed to issue. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to call the undersigned attorney at (925) 424-6897.

Respectfully submitted,



Eddie E. Scott
Attorney for Applicant
Registration No. 25,220
Tel. No. (925) 424-6897

Livermore, California

Dated: July 1, 2005